

Claim 1 recites as follows:

1. A multi-agent caching system for optimizing a bidding process for resources, comprising:

a Bid Manager agent for issuing a call for bids for usage of said resources, receiving said bids and selecting a best bid from among said bids, wherein each of said bids defines a predetermined context;

a plurality of Bidder agents for issuing said bids according to predetermined bidding policies in response to said call for bids, wherein one of said Bidder agents issues said best bid and provides said resources upon selection of said best bid by said Bid Manager; and

a plurality of ResourceAdapters for providing a uniform interface to access APIs of said resources, one of said ResourceAdapters being a CachingAdapter for maintaining cached bids for predetermined contexts from predetermined ones of said Bidders, receiving from said Bid Manager said call for bids and issuing said cached bids to said Bid Manager instead of requiring said predetermined Bidders to issue said bids, and a NoCachingAdapter for receiving from said Bid Manager said call for bids, re-issuing said call for bids to ones of said Bidders other than said predetermined Bidders, receiving said bids from said ones of said Bidders other than said predetermined Bidders and sending said bids to said Bid Manager.

Thus, claim 1 clearly requires "a plurality of ResourceAdapters for providing a uniform interface to access APIs of said resources; one of said ResourceAdapters being a CachingAdapter for maintaining cached bids for predetermined contexts from predetermined ones of said Bidders, receiving from said Bid Manager said call for bids and issuing said cached bids to said Bid Manager instead of requiring said predetermined Bidders to issue said bids and a NoCachingAdapter for receiving from said Bid Manager said call for bids, re-issuing said call for bids to ones of said Bidders other than said predetermined Bidders, receiving said bids from said ones of

said Bidders other than said predetermined Bidders and sending said bids to said Bid Manager".

The Baindur reference fails to teach or suggest any such ResourceAdapters. Referring, for example, to the CachingAdapter for maintaining cached bids for predetermined contexts from predetermined ones of said Bidders, receiving from said Bid Manager said call for bids and issuing said cached bids to said Bid Manager instead of requiring said predetermined Bidders to issue said bids, such a CachingAdapter is not taught or suggested anywhere in the Baindur reference. In fact, such a CachingAdapter could not be used in the system taught by Baindur. As the Examiner has indicated, Baindur teaches that each bid is based on dynamic bid weighting criteria that varies depending on the status of the system at the time the bid request is initiated. Clearly the bid weighting (and thus the resulting bid) varies depending on the time the bid request is initiated according to Baindur. Thus, Baindur teaches a system with bids that are "dynamic" and therefore it would serve no purpose to cache such a bid given that the bid would clearly change based on the time the next bid request is initiated.

It is clear from the above that not only does Baindur fail to teach or suggest the elements as recited in independent claim 1, but Baindur in fact teaches away from the present invention. It is therefore believed that Baindur cannot possibly render the present claims obvious.

In rejecting the claims, the Examiner asserts that "the multi-agent caching system can be just a series of standard physical inboxes to hold the bids of different bidders, in which bids could be stored by any variety of criteria". Applicants disagree with the Examiner as the invention as recited in independent claim 1 cannot possibly be equated to a series of inboxes for holding bids. The plurality of ResourceAdapters as recited in independent claim 1 cannot possibly be equated to a series of inboxes.

Notwithstanding the above, the Examiner has not shown any prior art system in which there is provided "a plurality of ResourceAdapters for providing a uniform interface to access APIs of said resources, one of said ResourceAdapters being a

CachingAdapter for maintaining cached bids for predetermined contexts from predetermined ones of said Bidders, receiving from said Bid Manager said call for bids and issuing said cached bids to said Bid Manager instead of requiring said predetermined Bidders to issue said bids and a NoCachingAdapter for receiving from said Bid Manager said call for bids, re-issuing said call for bids to ones of said Bidders other than said predetermined Bidders, receiving said bids from said ones of said Bidders other than said predetermined Bidders and sending said bids to said Bid Manager". Instead, the Examiner simply makes the sweeping statement that such would be obvious. The Examiner has therefore failed to set forth sufficient basis on which to maintain the rejection of these claims.

Such a sweeping statement clearly amounts to a "hindsight" analysis in determining obviousness that the courts have frequently warned against (see, for example, *Diamond Rubber Co. v. Consolidated Rubber Tire Co.*, 220 U.S. 428 (1911)), as noted in *In re Mahurkar Patent Litigation* (1993) 831 F. Supp. 1354, 28 USPQ 2d 180 (N.D. ILL. 1993.).

Claim 8 includes similar limitations that are not taught or suggested anywhere in the cited reference. The remainder of the claims include all of the limitations of one of claims 1 and 8. It is therefore believed that the present claims fully distinguish over the cited reference and withdrawal of the Examiner's rejection of these claims is respectfully requested.